

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Baltimore County, Maryland

In the Matter of

Civil Citation No.57034

Amanda Loy  
Dayton R. Billiet  
2813 Plainfield Road  
Baltimore, MD 21222

1931 Stanhope Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on June 3, 2009, for a hearing on a citation for violations under the Baltimore County Code (BCC) section 13-4-201 (b)(d) failure to use trash cans with tight fitting lids; (BCC) section 13-7-305, 13-7-306 failure to exterminate and eliminate rat harborage on residential property known as 1931 Stanhope Road, 21222.

On May 20, 2009, pursuant to §3-6-205, Baltimore County Code, Code Enforcement Officer, issued a code enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The following persons appeared for the Hearing and testified: the Tenant, Mike Pressley and Buc Thompson, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. A Correction Notice was issued on March 11, 2009 requesting extermination for rats under shed and sealing of rat holes; removal of decayed firewood or elevation of stack; and storage of trash in cans with tight-fitting lids. This Citation was issued on May 20, 2009.

B. Inspector Thompson testified that when inspecting in March, April and May he found the violations unabated. Photographs in the file show rat holes along the rear shed. The June 3, 2009 re-inspection photographs show wire screening along the bottom of the shed, and also show garbage cans with lids.

C. Mike Pressley, tenant, testified that the rat problem is caused by neighbors throwing bread into the alley. He further testified that he has spent \$228.00 on rat abatement and has poisoned the infestation. He further testified that he is rat proofing the shed and has installed metal sheathing and screening along three sides. The fourth side will be completed once the infestation is abated. He further testified that he telephoned the Department fifteen times attempting to communicate with inspectors and did not have his calls returned.

D. Evidence and testimony indicate that the violations have nearly been corrected. Re-inspection will be ordered to establish that the rat proofing of the shed has been completed, as required by County Code Section 13-7-307. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if all violations are corrected.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$50.00 (fifty dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violations are corrected by August 1, 2009. If the Respondent fails to correct the violations, the civil penalty shall be imposed and may be placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 16<sup>TH</sup> day of June 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

**NOTICE TO RESPONDENT:** The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.